



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

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WEDNESDAY, February 3, 2010

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The Chief Clerk makes the following entries under the above date:

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### AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 385** offered by Representative Schneider.

Assembly amendment 2 to **Assembly Bill 480** offered by Representative Kessler.

Assembly amendment 1 to **Assembly Bill 489** offered by committee on **Urban and Local Affairs**.

Assembly amendment 1 to **Assembly Bill 514** offered by Representative Staskunas.

Assembly amendment 1 to **Assembly Bill 558** offered by Representative Staskunas.

Assembly substitute amendment 1 to **Assembly Bill 614** offered by Representative Richards.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 614** offered by Representative Richards.

Assembly amendment 1 to **Assembly Bill 648** offered by Representatives Molepske Jr. and Bernard Schaber.

Assembly amendment 2 to **Assembly Bill 648** offered by Representatives Molepske Jr., Strachota and Bernard Schaber.

Assembly amendment 2 to **Assembly Bill 663** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 693** offered by Representative Molepske Jr..

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### ADMINISTRATIVE RULES

#### **Assembly Clearinghouse Rule 09-082**

Relating to tax credits for angel investments and early stage seed investments, and affecting small businesses.

Submitted by Department of Commerce.

Report received from Agency, January 20, 2010.

To committee on **Jobs, the Economy and Small Business**.

Referred on February 2, 2010.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### **Assembly Bill 699**

Relating to: exempting wellness programs from unfair trade or marketing practices.

By Representatives Zigmunt, Barca, Benedict, Cullen, Jorgensen, Kaufert, Molepske Jr., Montgomery, Nygren, Pasch, Ripp, Roys, Shilling, Sinicki, Soletski, Turner, Van Roy, Vos, Vruwink and Zepnick; cosponsored by Senators Sullivan, Cowles, Darling, Hansen, Lazich, Schultz, Taylor and Wirch.

To committee on **Insurance**.

#### **Assembly Bill 700**

Relating to: authorization for final disposition of a decedent's remains.

By Representatives Hilgenberg, Turner, Garthwaite, Roys, A. Williams, Steinbrink, Townsend, Young, Shilling and Knodl; cosponsored by Senators Lehman, Miller, Taylor, Kreitlow and Lassa.

To committee on **Veterans and Military Affairs**.

#### **Assembly Bill 701**

Relating to: the Interstate Insurance Receivership Compact, investment guidelines for charitable gift annuity segregated accounts, Health Insurance Risk-Sharing Plan assessment participation, reciprocity for long-term care insurance policies, voting by fraternal members, the insurance security fund, modifications to motor vehicle insurance policy and umbrella and excess liability policy requirements, providing an exemption from emergency rule procedures, and granting rule-making authority.

By Representative Cullen; cosponsored by Senator Taylor, by request of Commissioner of Insurance.

To committee on **Insurance**.

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### COMMITTEE REPORTS

The committee on **Consumer Protection** reports and recommends:

**Assembly Bill 285**

Relating to: dispensing motor vehicle fuel for persons with disabilities, granting rule-making authority, and providing a penalty.

Passage:

Ayes: 9 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Kleefisch, Spanbauer and Meyer.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 405**

Relating to: prohibiting the manufacture and sale of bottles and cups for children that contain bisphenol A, creating labeling requirements, making an appropriation, and providing a penalty.

Assembly Amendment 1 to Assembly Substitute Amendment 2 adoption:

Ayes: 8 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Kleefisch, Spanbauer and Meyer.

Noes: 1 – Representative Lothian.

Assembly Substitute Amendment 2 adoption:

Ayes: 9 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Kleefisch, Spanbauer and Meyer.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Kleefisch, Spanbauer and Meyer.

Noes: 0.

To joint committee on **Finance**.

*GORDON HINTZ*  
Chairperson  
Committee on Consumer Protection

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The committee on **Tourism, Recreation and State Properties** reports and recommends:

**Assembly Bill 439**

Relating to: powersports vehicle manufacturers, distributors, and dealers and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 8 – Representatives Van Akkeren, Clark, Schneider, Hraychuck, Hilgenberg, Kaufert, Van Roy and M. Williams.

Noes: 0.

Passage as amended:

Ayes: 5 – Representatives Van Akkeren, Clark, Schneider, Hilgenberg and Kaufert.

Noes: 3 – Representatives Hraychuck, Van Roy and M. Williams.

To committee on **Rules**.

*TERRY VAN AKKEREN*  
Chairperson  
Committee on Tourism, Recreation and State Properties

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The committee on **Transportation** reports and recommends:

**Assembly Bill 465**

Relating to: special distinguishing registration plates associated with the Lions Clubs of Wisconsin and making an appropriation.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Steinbrink, Zigmunt, Vruwink, Garthwaite, Fields, Bernard Schaber, Sinicki, Petrowski, A. Ott, Stone, Bies and Ripp.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Steinbrink, Zigmunt, Vruwink, Garthwaite, Fields, Bernard Schaber, Sinicki, Petrowski, A. Ott, Stone, Bies and Ripp.

Noes: 0.

To joint committee on **Finance**.

*JOHN STEINBRINK*  
Chairperson  
Committee on Transportation

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**REFERENCE BUREAU CORRECTIONS**

Senate Amendment 1 to **Assembly Bill 47**

In enrolling, the following correction was made:

1. Page 1, line 13: delete “delete “is”” and substitute “delete the second “is””.

*PATRICK E. FULLER*  
Assembly Chief Clerk

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**ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

**Assembly Bill 47**  
**Assembly Bill 198**  
**Assembly Bill 248**  
**Assembly Bill 332**

*PATRICK E. FULLER*  
Assembly Chief Clerk

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## CHIEF CLERK REPORTS

The Chief Clerk records:

**Assembly Bill 83**  
**Assembly Bill 177**  
**Assembly Bill 178**  
**Assembly Bill 202**  
**Assembly Bill 229**  
**Assembly Bill 325**  
**Assembly Bill 364**  
**Assembly Bill 376**  
**Assembly Bill 418**

Presented to the Governor on Tuesday, February 2.

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## REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Supreme Court of Wisconsin  
Madison

February 3, 2010

To the Honorable, the Legislature:

Under ss. 758.19 (5)(e) and 758.19(6)(d), Wis. Stats., each county is required to submit an annual report to the Director of State Courts which provides information on the actual amount expended in the previous calendar year for court costs relating to the circuit court support and the guardian ad litem payment (GAL) programs. The Director of State Courts is required under s. 758.19 (5)(i), Wis. Stats., to compile the data submitted by Wisconsin's counties and report this information to the Governor and Legislature by October 1st of each year.

On October 1, 2009, we submitted our annual report which compiled the counties' calendar year 2008 expenditure data.

We noted in the report that counties do not submit audited reports and, as a result, there are differing and inconsistent accounting practices among and within counties so the reported expenditures are not comparable among counties. We also reported that in fiscal year 2009-10, we would be performing audits of these expenditures to ensure consistency and uniformity among and within counties when reporting this information. Through our review process, we recently found that some of Milwaukee County's calendar year 2008 expenditures appeared to be misstated. We followed up with Milwaukee County and they agreed that they misclassified a portion of their indigent counsel and GAL costs for calendar year 2008. Milwaukee County immediately re-submitted a corrected 2008 annual report of actual costs.

While it is not our intent to re-issue the October 1 report whenever an error is found during our audit process, the misclassifications of Milwaukee County's 2008 expenditures are considered material. Because GAL expenditure data is detailed in our annual report, we believe it is necessary to re-issue our October 1, 2009 report to correct the reporting error. The enclosed report includes corrected 2008 GAL expenditure data and shows that the statewide total GAL costs for 2008 were \$11,059,773 rather than the \$12,829,168 as originally reported.

Since audits of counties 2008 data are still underway, we want to reiterate that caution should be used with comparing these numbers among counties. These numbers should still be considered unaudited. Please direct any questions regarding this re-submission to the court system's Fiscal Officer Brian Lamprech. He can be reached at 608-266-6865 or at [brian.lamprech@wicourts.gov](mailto:brian.lamprech@wicourts.gov).

Sincerely,  
*A. JOHN VOELKER*  
Director of State Courts

Referred to committee on **Children and Families**.